Adopted: 04/01/2018 Revised: April 2025

# PURPOSE

The College of Education and Human Ecology conducts background checks (BGCs) through the university-approved third-party vendor for all new and returning Independent Contractors/Consultants (IDC) and Volunteers (V). If you plan to hire certain types of individuals or businesses for work in your area, requirements must be followed to ensure they are correctly classified as employees or independent contractors. The [Independent Contractor Guidelines](https://click.t.osu.edu/?qs=9af91f8971cf12dd9809493cc235ff62e7de6e7ccbcc457de488f450cb3e9c53ad74b2dcb66dcd934ce7d395a348f4a5630e0ecbfa480a74), issued by Ohio State Business and Finance, provide an overview of the process for how to evaluate independent contractors and are available on the [Purchasing website](https://click.t.osu.edu/?qs=9af91f8971cf12dd165ae2ac045fff93bfce8cde5303709261f151e1b9a74aa55f848d44f4b147f1e0e17830660986c324c85296923ed6ed).

Background checks **must be** completed **prior to** the individual beginning any work with the university. A new background check is only required if there has been a break in service of more than 12 months. The following guidelines will support the evaluation and approval process in determining if the individual needs to be hired as an IDC/V or an employee.

**The following guiding principles are intended to:**

* Provide transparency in the process and clarify the information required for Independent Contractor/Consultant (IDC) approval
* Support the evaluation of employee versus contractor relationships
* Outline rules that apply consistently, with no exceptions regardless of individual evaluations
* Clarify that hiring professional services from a business already under contract with Ohio State does not require further evaluation
* Any background check outside of the Recruit to Hire process are the IDC financial responsibility college

These guidelines will be applied consistently with the following university policies:

* <https://hr.osu.edu/wp-content/uploads/policy415.pdf>
* <https://hr.osu.edu/wp-content/uploads/policy417.pdf>

**DEFINITIONS**

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|  | Definitions |
| Volunteer | A volunteer is an individual who willingly performs services for the university without compensation. Volunteers will not have a record in Workday; instead, their processing and tracking will be managed outside of the Workday system. |
| Contractor/Consultant (IDC) | An individual who contracts with the University or non-corporate business to provide a service or material for a specified time and cost/pay and would not be paid via payroll.  |
| [IDC vs Employee Rules](https://busfin.osu.edu/buy-sell-travel/purchasing/procurement-resources/independent-contractor-guidelines?utm_source=sfmc&utm_medium=email&utm_campaign=ehe_faculty-staff-newsletter_fy25_ehe-insider-20250303&sfmc_key=0032E00002tKvyNQAS) | Are rules based on the guidance provided by the Department of Labor (DOL) and our state pension plans to assist departments in identifying accurate classification based on facts and circumstances. No exceptions will be granted.  |

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| Sterling Talent Solutions | The Ohio State University utilizes a third-party background check vendor to conduct pre-contractual screenings. |
| [Non-Employee work Arrangement Checklist](https://apps.docusign.com/api/send/api/accounts/387d1013-fb1c-4705-9bd9-7cf575f484ce/templates/e60bf88c-9d0d-43da-8fd3-ee4da571682f/documents/1/preview/document.pdf#page=1) | This form is a decision-making and documentation tool which is to be used by Managers when purchasing services from individuals. |
| [Independent Contractor Classification Tool](https://busfin.osu.edu/sites/default/files/documents/Independent-Contractor.pdf?utm_source=sfmc&utm_medium=email&utm_campaign=ehe_faculty-staff-newsletter_fy25_ehe-insider-20250303&sfmc_key=0032E00002tKvyNQAS)  | This form serves as a decision-making and documentation tool for EHE HR Business Partners (HRBPs) to determine whether an individual should be hired as an employee or classified as an Independent Contractor (IDC). It was developed based on guidance from the Department of Labor (DOL) and state pension plans to ensure proper classification and compliance. |
| [PEDACKN Form](https://www.opers.org/forms-archive/PEDACKN-Non-Member-Acknowledgment.pdf) | An Ohio Public Employees Retirement System (OPERS) Independent Contractor/Worker Acknowledgement Form (PEDACKN) is required for any individual who begins providing personal services to EHE. Any OPERS-related cost received by Ohio State due to this working relationship will be the responsibility of the contracting unit for cases where OPERS classifies the worker as an employee or if the worker is an OPERS benefit recipient with prior contributions made through Ohio State employment.  |

# BACKGROUND CHECK PROVIDER

The university uses Sterling Talent Solutions for all Independent Contractor/Consultant and Volunteer (IDC/V) background checks. You can access the portal here: <https://www.sterlingtalentsolutions.com/landing-pages/o/osu/>. The base cost for a background check through this portal is $22.50. During the process, individuals will be asked to disclose any prior criminal convictions, which may result in additional fees depending on the nature of the check.

Please note that a criminal conviction does not automatically disqualify someone from workingwith the university. However, background checks for IDC/V roles must be paid for by the individual.

# ROLES AND RESPONSIBILITIES

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| Role | Responsibilities |
| Manager | * Initiates a requisition request for an Independent Contractor or Volunteer (IDC/V) if the individual falls under any university or EHE criteria requiring a background check (e.g., access to restricted institutional data, care, custody, or control of a minor, access to university computer systems—whether on-site or remote, etc.).
* Completes the [Non-Employee Work Arrangement Form](https://apps.docusign.com/send/templates/details/75bfe202-069b-4563-9f52-b7300260f32a), providing a clear business purpose and responding to all required supporting questions.
* Ensures the selected individual does **not begin work** until the background check is completed and clearance is confirmed by the EHE HR Background Check Coordinator (EHE HR BGC).
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| Fiscal Officer | * Reviews the Non-Employee Work Arrangement Form submitted by the manager to ensure it is fully completed and includes a clear and valid scope of work.
* Enters the requested IDC information into the BGC Tracking Spreadsheet located within the [EHE Independent Contractor Process Teams folder.](https://teams.microsoft.com/l/team/19%3Aju-Uo5VvEHpdbqNY8nldZ4B8udfR_7-0Bw1DU7JKA5Y1%40thread.tacv2/conversations?groupId=aa6c65c7-aada-4120-afb8-435d83bba9b4&tenantId=eb095636-1052-4895-952b-1ff9df1d1121)
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| HR BusinessPartner  | * Review the Non-Employee Work Arrangement form and complete the Independent Contractor Classification Tool to support the approval or denial of the IDC.
* If BGC is required, will evaluate background check results that include criminal convictions to determine whether they impact on the individual's working relationship with EHE and the University.
* Escalate issues to the Dean as necessary.
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| EHE HRS BGC Coordinator | * Ensures that a valid scope of work has been approved, then sends an email to the IDC with instructions to complete a background check through the Sterling Talen Solutions third-party BGC vendor.
* Maintains the Consultant Background Check Tracking spreadsheet and Exception Log within the [EHE Independent Contractor Process Teams folder.](https://teams.microsoft.com/l/team/19%3Aju-Uo5VvEHpdbqNY8nldZ4B8udfR_7-0Bw1DU7JKA5Y1%40thread.tacv2/conversations?groupId=aa6c65c7-aada-4120-afb8-435d83bba9b4&tenantId=eb095636-1052-4895-952b-1ff9df1d1121)
* Once the background check is approved, notifies the manager and IDC via email that the background check is complete and the IDC is cleared to begin work.
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| OHR | * Reviews background check results and reports any criminal convictions to the HRBP, along with a recommendation on whether to proceed with a contractual relationship with the IDC.
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